

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DAVID WARNER,

Plaintiff,

v.

12-CV-627 GBW


VILLAGE OF RUIDOSO, DAN
BRYANT, FNU NELSON, and
JONAS WADE PROCTOR,

Defendants.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Leave to Proceed in forma pauperis. *Doc. 2*. "In order to succeed on a motion to proceed IFP, the movant must show a financial inability to pay the required filing fees, as well as the existence of a reasoned, non-frivolous argument on the law and facts in support of the issues raised in the action." *Lister v. Dep't of Treasury*, 408 F.3d 1309, 1312 (10th Cir. 2005) (citation omitted). Section 1915(a)(1) applies to all plaintiffs seeking IFP status. *Id.*; see also *Griffin v. Zavaras*, 336 Fed. App'x 846, 849 n.2 (10th Cir. 2009). Plaintiff's Complaint asserts a non-frivolous argument on the law, and his motion evidences his inability to pay the filing fee. As such, I find the motion well-taken.

Wherefore, IT IS HEREBY ORDERED that Plaintiff's Motion for Leave to Proceed in forma pauperis, (*doc. 2*), is GRANTED.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE